

ependymoma, primitive neuroectodermal tumor, atypical meningioma, malignant meningioma, neuroblastoma, sarcoma, lymphoma, or carcinoma.

199. (New) The mammalian cell of Claim 195, wherein said mammalian cell is derived from or is contained in a human, non-human primate, mouse, rat, gerbil, hamster, or rabbit.

200. (New) A mammalian cell containing the HSV-1-derived vector of any of Claims 185, 186, 187, 189, 190, 191, 193, or 194, or unpackaged DNA thereof.

201. (New) A kit for expressing in a mammalian cell a gene encoding a preselected protein, containing an HSV-1-derived vector selected from the group consisting of Prom Δ LAT Δ 34.5 and Prom Δ LAT Δ 34.5-GFP, or containing a derivative of any of these.

202. (New) A kit for expressing in a mammalian cell a gene encoding a preselected protein, containing the HSV-1-derived vector of any of Claims 185, 186, 187, 189, 190, 191, 193, or 194.--.

REMARKS

Applicant's Preliminary Amendment is submitted together with a divisional application directed to Claims 120-178, originally filed in pending parent U.S. Serial No. 09/299,817, which claims were designated Group IV in a restriction requirement, mailed August 1, 2000.

The amendment of the title (at page 1, line 1) and in the Abstract of the Disclosures (at page 45, line 2), is to bring these into conformity with the new claims 185-202, and no new matter is introduced.

Applicant believes that no new matter is introduced by any amendments made herein.

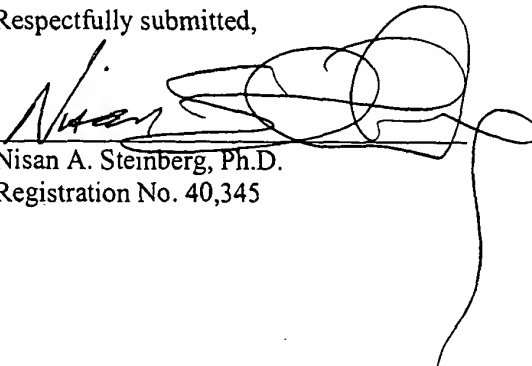
At page 1, line 4, Applicant has added continuing data explaining the relationship to U.S. Serial No. 09/299,817. Please cancel Claims 1-119 and 179-184, without prejudice, as being directed to designated claim Groups I, II, and III. Please cancel Claims 120-178, without prejudice, and add new Claims 185-202.

The cancellation of Claims 1-119 and 179-184, without prejudice, is made because Claims 1-119 and 179-184 were designated claim Groups I, II, and III, and are not directed to the elected subject matter of the present division (i.e., Group IV).

Applicant's cancellation of Claims 120-178 is made without prejudice. New Claims 185-202 are added, and support is found, for example, in Claims 120-178, as originally filed.

In view of the above amendments and remarks, it is submitted that this application is now ready for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney at (213) 896-6665.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Nisan', followed by a large, loopy flourish that extends to the right and then loops back down.

Nisan A. Steinberg, Ph.D.
Registration No. 40,345

Sidley Austin Brown & Wood
555 West Fifth Street
Los Angeles, California 90013-1010
Telephone: (213) 896-6665
Facsimile: (213) 896-6600